



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.19336 of 2013

WEB COPY

S.Narayanan

... Petitioner

-Vs-

- 1.The Director of School Education,
Office of the Director of School Education,
College Road, Chennai.
- 2.The Joint Director of School Education,
Office of the Joint Director of School Education,
College Road, Chennai.
- 3.The District Educational Officer,
Office of the District Educational Officer,
Virudhunagar District.
- 4.Kshatriya Vidhyasala Higher Secondary School,
Represented by its Secretary,
Madurai Road, Virudhunagar,
Virudhunagar District.
- 5.The School Committee,
Kshatriya Vidhyasala Higher Secondary School,
Madurai Road, Virudhunagar,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to consider the petitioner for the promotion of Post Graduate Assistant (PG Assistant) in Tamil in Kshatriya Vidhyasala Higher Secondary School in Madurai Road, Virudhunagar, Virudhunagar District, within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mrs.S.Srimathy
Special Government Pleader
(for R-1 to R-3)

Mr.T.Ponram Kumar (for R-4)

No Apperance (for R-5)

ORDER

The relief sought for in the present writ petition is for a direction to the third respondent to consider the petitioner for promotion to the post of Graduate Assistant (PG Assistant) in Tamil in Kshatriya Vidhyasala Higher Secondary School in Madurai Road, Virudhunagar, Virudhunagar District.

2.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner is presently working as BT Assistant in the fourth respondent's school. However, promotion was not given despite the fact that the petitioner is fully qualified and eligible.

3.The learned counsel appearing on behalf of the fourth respondent made a submission that the management considered the case of the writ petitioner and he was already promoted as BT Assistant in Tamil. However, the competent educational authority is yet to grant the seal of approval of appointment.

4.The writ petitioner has not enclosed the copy of the proposal sent by the management seeking approval of promotion. Under these circumstances, the respondents 4 and 5 are at liberty to submit a proposal to the competent educational authorities for the purpose of approving the appointment of the writ petitioner, if he is otherwise qualified and eligible. In the event of submitting any such proposal, the third respondent has to consider the proposal and take a decision and pass orders on merits and in accordance with law, as expeditiously as possible. The case of the writ petitioner is to be considered with reference to his eligibility and with reference to other terms and conditions from the date of appointment, if he is otherwise qualified.

5.With these directions, the Writ Petition stands disposed of. No costs.

Sd/-

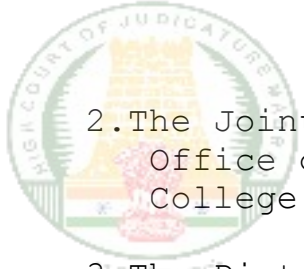
Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Director of School Education,
College Road, Chennai.



2.The Joint Director of School Education,
Office of the Joint Director of School Education,
College Road, Chennai.

3.The District Educational Officer,
Office of the District Educational Officer,
Virudhunagar District.

+1 CC to Mr.T.PON RAMKUMAR, Advocate SR-78324.
+1 CC to Mr.T.LAJAPATHI ROY, Advocate SR-78388.
+1 CC to SPL GP SR-78715.

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CS(13.08.2019) 3P 7C